

6 Paras
8/

Scott II-27-15,004-22-8-46.

Home (1947) Department.

①

M SERIES.

G.O. NO.	635
Dated	14/2/47

[Despatch Abstract.]

Ref. ^{No} C3-5518-46.

60144E
S. Kanara Dt. Magistrate's office,
Mangalore, 13th December 1946.

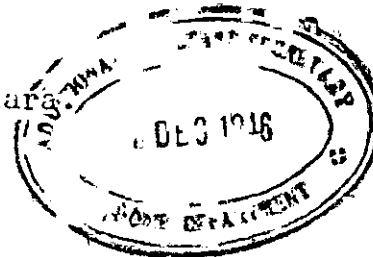
From

J. R. Bett, Esq., I.C.S.,
Dt. Magistrate of South Kanara.

To

The Secretary to Government,
Home Department, Madras.

Sir,



Establishment - South Kanara District - I Class Bench Court,
Udipi. - Temporary clerk - Retention for one year - proposals.

Ref: G.O. Ms. No. 439, Home Dept., dated 11-2-1946.

In their order cited above, the Government were pleased to sanction the continuance for a further period of one year from 4-2-46 of the temporary clerk on Rs. 19-30 per month employed in the I Class Bench Court, Udipi. A statement of cases instituted and disposed of from 1-5-40 is given below:-

Period commencing from	Period ending with.	No. received.	Amount of fines collected.	No. of sittings.
1-5-1940	30-4-1941	407	302-6-0	116
1-5-1941	30-4-1942	769	266-12-0	116
1-5-1942	30-4-1943	451	1072-4-0	108
1-5-1943	30-9-1943	263	824-12-0	38
1-10-1943	30-9-1944	1072	2155-15-0	106
1-10-1944	30-9-1945	525	1179-12-10	97
1-10-1945	30-9-1946	411	852-12-0	99

S. 2 The clerical work of the Court has not much decreased although the number of cases received during the year up to 30-9-1946 is less than that received in the previous year. The clerk has also to attend to the work of the Special I Class Magistrate's Court, Udipi for which no separate clerk has been sanctioned. It will thus be seen that the retention of the temporary clerk is necessary. I recommend that ----- sanction may kindly be accorded to the retention of the clerk for a further period of one year from 4-2-1947.

N. G. Angiah
14/12
For Dt. Magistrate.

14/12

19-12-46

James 19/12/46

Home Dept. 7/1

C.No. 60144E/46

Letter / Ref. No. 60144E/46 dated 19-12-46

49
19-12-46

To

The Hon. the C. J.,
High Court, Madras (with encl.)

Hon. Sir,

Establishment - South Kanara Dt. -
First Class Bench Court, UDIPPI - Temporary clerk - Further
Retention - Proposal.

I am directed to enclose a
copy of a letter Ref. No. C3-5518-46 dated
13.12.1946 from the D.M., South Kanara, on
the subject cited and to request that the
Hon. the Judges will be so good as to offer
their remarks on the proposal contained
therein.

[R.D. 20.1.1947]

19/12/46
19/12/46

19/12/46 Y.O.S.

copy of cf.
Rdpr 10
28.1.47
20/12

R.O.C.NO. 6042/46-D3.

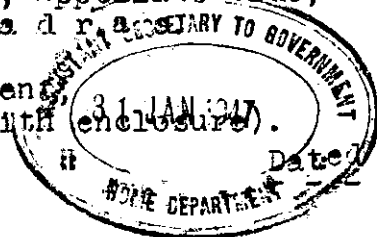
5
6605 E
31.1.47

From

Sri Rao Sahib K. Krishnaswami Ayyar, M.A., B.L.,
Assistant Registrar, Appellate Side,
High Court, Madras

To

The Secretary to Government,
Home Department: (with enclosure).



Dated 29th January 1947.

Sir,

SUBJECT: Establishment - South Kanara - First Class
Bench Court, Udipi - Temporary Clerk - further
retention - proposal.

REFERENCE:- Your letter No. 60144E/46-1 Home dated 19-12-46.

The Hon'ble the Judges recommend the proposal of the District
Magistrate in view of his report that the employment of a part time
clerk in the Bench Court, Udipi is not possible (please see copies
of High Court's letter to the District Magistrate, R.O.C.No. 5287/45 -D
dated 21-12-45 and his reply Ref.C.No. 4952-45-C3 dated 12-1-46
enclosed).

Rao Sahib K. Krishnaswami Ayyar
ASSISTANT REGISTRAR,
Appellate Side.

KVR.

*p. 3 and
p. 4 note
p. 7. 8
in file*

Copy of letters, R.O.C. 5287/45-D3 and Ref.C.No. 4952-45-C3
for enclosure.

R.O.C. 5287/45-D3.

From

K. C. Nambiar, Esq., B.A., B.L., Barrister-at-law,
Assistant Registrar, Appellate Side,
High Court, Madras.

To

The District Magistrate,
South Kanara,

Dated 21st December 1945.

Sir,

Establishment - S. Kanara District - Bench Court - Udipi
Temporary Clerk - further retention - Proposal.

Correspondence ending with your letter Ref.C. 3-4952-45
dated 17-12-45.

The Government consider that the sanction of full time establishments for Bench Courts is not justified unless the number of cases for disposal in a year is not less than 800. In view of the fact that the institutions in the Bench Court, and in the Special 1st Class Magistrate's Court, Udipi, together have always been below this figure except in 1944, please state why any of the part-time arrangements contemplated in G.O.No. 3663 Law (Genl.) dated 23-12-24 as amended by G.O.No.M.S. 491 Law (Genl.) dated 10-2-32 should not be adopted. An early reply is requested.

(Sd.) K. C. Nambiar,
Assistant Registrar,
Appellate Side.

Ref: C.No. 4952-45-C3.

S. Kanara Dt. Magistrate's Office,
Mangalore, dated 12-1-1946

From

Rao Bahadur Sri P. Ramadoss, B.A.,
Dt. Magistrate of South Kanara,
Mangalore.

To

The Assistant Registrar,
Appellate Side, High Court,
M A D R A S

Sir,

ESTABLISHMENT: South Kanara District - Bench Court, Udipi
Temporary clerk - Further retention - Report.

Ref: R.O.C.No. 5287-45-D3, dated 21-12-45 from the High Court,
Madras.

The number of cases before the 1st Class Bench Court, Udipi, during the current year is bound to increase for more than one reason. The quinquennial revision of assessment made by the Udipi Municipality recently will result in the institution of more prosecutions. In 1945, 112 cases which had legitimately to be instituted before the 1st Class Bench Court, Udipi were filed in the Court of the Stationary Sub Magistrate, Udipi.

2. The total number of sittings during the year both in the Bench Court and in the Special 1st Class Magistrate's Court work

P. T. O.

out to 246. The temporary clerk, maintains all the Criminal registers and prepares summonses, warrants, returns etc., of both the Courts. When there was no temporary clerk for the 1st Class Bench Court past experience showed that the attender of the Stationary Sub Magistrate's Court, Udipi was not able to cope up with the work, which necessitated the employment of a whole-time clerk for this Court. In the present circumstances no clerk of the Taluk Office or of the Stry. Sub Magistrate's Court, Udipi can be spared for this duty due to the heavy work in those offices. By having a part-time clerk as contemplated in G.O.No.3663, Law (General), dated 23-12-1924 as amended by G.O. Ms.491, Law (General), dated 10-2-1932, the work of both the Bench Court and the Special I Class Magistrate's Court will suffer and the present good disposals may deteriorate. with

3. I may also add that the Addl. I Class Magistrate's Court Mangalore, will be abolished from 1-4-1946 and as such, the Special I Class Magistrate's Court will have to take up more first class cases thereafter. In view of all these facts, I am of opinion that the part-time arrangements contemplated in the Government orders are not practicable. I therefore recommend the retention of the clerk for one more year from 4-2-1946. Sd/-
(D. L. S.)

4. The favour of very early orders is solicited.

(Sd.)

for Dt. Magistrate.

(True Copy)


SUB ASSISTANT REGISTRAR,
Appellate Side. 47

KVR.



G.O.MS.NO. 635 DATED. 14/2/47

ESTABLISHMENT - South Kanara District - Bench Court, UDIPI - Temporary clerk - Further retention upto 1-4-47 - Sanctioned.

R e a d :

G.O.439, Home, dated 11-2-1946.

From the D.M., South Kanara, No.C.3-5518-46 dated 13-12-1946.

From the High Court, Rcc.No.6042/46-D3 dated 29-1-1947.

O R D E R

H.E. the Governor of Madras sanctions the retention upto 1-4-47 of the post of temporary clerk in the scale of Rs.19-30 p.m. last sanctioned for the Bench Court at UDIPI (South Kanara District) in G.O. No.439, Home, dated 11-2-46.

2. The expenditure should be met from the appropriation under "27.h.Administration of Justice Crl.Courts - Sty. Sub Magistrates, Bench magistrates and other establishments - B. Pay of establishments

Voted"

5/4/47.

6/1/47.

6/2/47

To the D.M., SOUTH KANARA,
To the Hon. the C.J.
To the A.G. through the
Finance Department:

Note:- For the reasons given at 'S' in his letter on p.1 c.f. the D.M. South Kanara recommends the retention of the temporary clerk in the scale of Rs.19-30 p.m. in the First Class Bench Court, UDIPI for a further period of one year from 4-2-1947. The Hon. the Judges ^{of the High Court} support the proposal of the D.M. in view of his report that the employment of a part time clerk in the Bench Court, Udipl is not possible.

2. Following the suggestion of Finance in the case of the continuance of the temporary staff in the ^{First class} Bench Court Negapatam, continuance of temporary staff in Ist Class Bench Courts, is now being sanctioned only upto 1-4-47.

For orders whether the retention of the temporary clerk in this case may also be accorded for the period upto 1-4-1947. If so, the draft above is for approval. May be sent to Finance for acceptance.

Wm
6.2.47

Wm
6.2.47

The draft order overleaf may be accepted and the case retained to Home.

Wm
8/2/47

May issue
Wm
11/2/47

Home
12/2/47
14/2/47
14/2/47

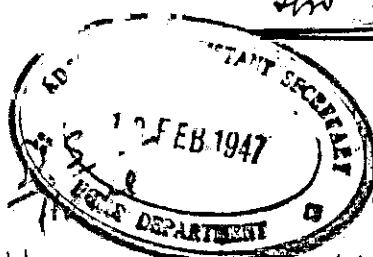
[Dated at No. 635 Home D/14.2.47] - pgank

Wm
12.2.47

6044E

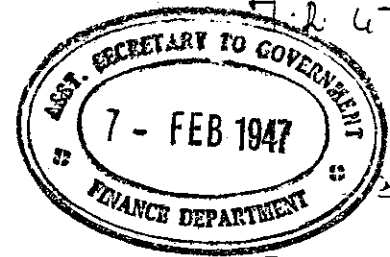
12.2.47

Wm 'D'

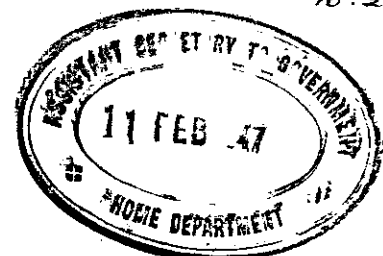


18/2/47

Home no 60144E/46-3



Fin no. 72678-10.2.47



9191E2
11.2.47

